

## **REPORT OF THE COMMITTEE ON HEALTH & HOSPITALS**

**December 11, 2007**

The Honorable,  
The Board of Commissioners of Cook County

### **ATTENDANCE**

Present: Chairman Butler, Vice Chairman Goslin, Commissioners Daley, Gorman, Peraica, Quigley, Schneider, Silvestri, Sims and Steele (10)

Absent: Commissioners Beavers, Claypool, Collins, Maldonado, Moreno, Murphy and Suffredin (7)

Also

Present: Stephen A. Martin, Jr., Ph.D., M.P.H., - Chief Operating Officer, Department of Public Health; Patrick T. Driscoll, Jr. – Deputy State's Attorney, Chief, Civil Actions Bureau.

Ladies and Gentlemen:

Your Committee on Health & Hospitals of the Board of Commissioners of Cook County met pursuant to notice on Tuesday, December 11, 2007 at the hour of 2:00 P.M. in the Board Room, Room 569, County Building, 118 North Clark Street, Chicago, Illinois.

Your Committee has considered the following items and upon adoption of this report, the recommendations are as follows:

290822 AMENDMENT TO THE COOK COUNTY BOARD OF HEALTH ORDINANCE SWIMMING FACILITY INSPECTION AND FEE ORDINANCE (PROPOSED ORDINANCE AMENDMENT). Submitting a Proposed Ordinance Amendment sponsored by Todd H. Stroger, President and Jerry Butler, County Commissioner; Co-sponsored by Elizabeth "Liz" Doody Gorman and Joan Patricia Murphy, County Commissioners.

The following is a synopsis of the Proposed Ordinance Amendment.

### **PROPOSED ORDINANCE AMENDMENT**

#### **AMENDMENT TO THE COOK COUNTY BOARD OF HEALTH ORDINANCE SWIMMING FACILITY INSPECTION AND FEE ORDINANCE**

**WHEREAS**, the Cook County Department of Public Health ("Department"), through its Environmental Health Unit, serves as an agent of the Illinois Department of Public Health with respect to the performance of swimming facility inspections, with the exception of bathing beaches, in accordance with the Illinois Swimming Facility Act, 210 ILCS 125/1 et seq.; and

**WHEREAS**, many, but not all, Swimming Facilities inspected by the Department are managed by individuals possessing certification of training from the State of Illinois and other qualified organizations in swimming facility management; and

**WHEREAS**, studies by the CDC and observations of Department support that swimming facilities operated by certified swimming facility managers are more likely to comply with health and safety requirements; and

**WHEREAS**, while state law does not presently require that Swimming Facilities be managed by certified Swimming Facility managers, the County, as a home rule unit of local government, may require that all Swimming Facilities in Cook County be managed by an individual who is a certified Swimming Facility Manager except where a municipal ordinance contains a conflicting requirement; and

**WHEREAS**, the agency agreement with the Illinois Department of Public Health does not provide for payment to the County for the swimming facility inspections provided by the Cook County Department of Public Health; and

**WHEREAS**, the County desires to implement fees to help defray the costs associated with the Department's swimming facility inspection and other programs and to include these and other fees, including any periodic adjustments thereto, in Chapter 32 Fees, of the Cook County Code.

**NOW, THEREFORE, BE IT ORDAINED**, by the Cook County Board of Commissioners that Chapter 38 Health and Human Services, Sections 38-41 and 38-42 of the Cook County Code is hereby enacted as follows:

**Sec. 38-41. Swimming Facilities.**

**Sec. 38-42. Fees.**

**\*Referred to the Committee on Health & Hospitals on 12-04-07.**

Chairman Butler asked Stephen A. Martin, Jr., Ph.D., M.P.H., Chief Operating Officer, Department of Public Health, to address the Commissioners.

Dr. Martin stated that the Proposed Amendments to Chapter 32 add to the various fees currently being charged by the Cook County Department of Public Health. The fees that are listed in the Proposed Ordinance includes fees to be charged for various inspections, services, licenses and permits handled by the Cook County Department of Public Health including licensing of retail food establishments in unincorporated Cook County and reviews of plans for residential swimming facilities in unincorporated Cook County.

Commissioner Gorman inquired as to how many pools in total Cook County oversees.

Dr. Martin responded approximately 1,500 pools.

**Commissioner Gorman, seconded by Commissioner Steele, moved the approval of Communication No. 290822. The motion carried.**

**Commissioner Peraica voted No on Communication No. 290822.**

290823 **NOW, THEREFORE, BE IT ORDAINED**, by the Cook County Board of Commissioners that Chapter 32 Fees of the Cook County Code is hereby amended as follows:

**Sec. 32-1. Fee schedule.**

<i>Code Section</i>	<i>Description</i>	<i>Fees, Rates, Charges (in dollars)</i>
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**CHAPTER 38, HEALTH AND HUMAN SERVICES**

Food Establishment, Unincorporated Cook County  
Annual License Fee (Includes Inspection Costs)

Where seating is provided:

1 - 25 seats	150.00
26-100 seats	300.00
101-200 seats	450.00
over 200 seats	600.00

Where seating is not provided (gross area):

Up to 300 SF	75.00
301 SF to 600 SF	125.00
601 SF to 1000 SF	200.00
1001 SF to 1500 SF	225.00
1501 SF to 3000 SF	300.00
3001 SF to 6000 SF	375.00
6001 SF to 10,000 SF	450.00
10,001 SF to 20,000 SF	525.00
over 20,000 SF	600.00

Mobile Food Unit	125.00
Temporary Retail Food Establishment (Daily Fee)	25.00
Tavern (Beverages Only)	150.00
Packaged Liquor Store	125.00
Day Care Center Food License	75.00

Day Care Center Food Plan Review	300.00
Food Establishment Plan Review	300.00

Unincorporated Cook County Residential Swimming Facilities:

In Ground Swimming Pool Plan Review	150.00
Above Ground Swimming Pool Plan Review	75.00
Residential Spa Plan Review	75.00

Swimming Facilities (Excluding Bathing Beaches):

Agency Inspection, Swimming Facility	150.00
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Agency Inspection, Each Additional Facility, Same Address	75.00
Agency Re-Inspection, Swimming Facility	50.00
Private Sewage and Disposal System (PSDS)	
Design Plan Review, Less Than 1500 Gal/Day (GPD)	225.00
Design Plan Review, Greater Than 1500 GPD	300.00
Design Plan Review, Addition/Modification, Septic System	150.00
Septic System Repair Plan Review	150.00
Alternative System Design Plan Review	375.00
Witnessed Percolation Test	150.00
Septage Hauler, Annual Truck Permit	150.00
Well and Water Quality Evaluation	150.00
Private Sewage Disposal System Evaluation	200.00
Private Sewage Disposal System, Well, and Water Quality Evaluation	225.00
Tobacco Product Retailer License Fee (Section 54-304(f))	200.00
License for each additional (beyond the first) tobacco product vending machine at the same location	35.00

**Effective Date:** This Ordinance will take effect on ~~January~~ July April 1, 2008.

**\*Referred to the Committee on Health & Hospitals on 12/04/07.**

**Commissioner Gorman, seconded by Commissioner Steele, moved the approval of Communication No. 290823.**

Vice Chairman Goslin inquired as to whether the fees that are currently being charged by Cook County are consistent with fees charged by other public entities for similar work.

Dr. Martin stated that Cook County's fees are recommendations to the Board, they are not at the County's cost; and they are lower than those of DuPage County and Lake County. In addition, Dr. Martin stated that Cook County has not raised the fees in sixteen years.

Vice Chairman Goslin asked if the fees would cover the County's cost.

Dr. Martin responded that the fees would defray the County's cost.

Vice Chairman Goslin asked who decides to wait sixteen years before increasing the fees.

Dr. Martin stated that it would fall within the Cook County Department of Public Health.

Commissioner Daley inquired as to what is the total amount of revenue that Cook County should collect from fees.

Dr. Martin stated that the County subsidizes the environmental program with approximately \$456,000.00. The revenues that are currently brought in by the Department of Public Health are approximately \$170,000.00 without counting the new fee of the swimming pools.

Commissioner Schneider inquired as to how many restaurants the Department of Public Health inspects.

Dr. Martin stated approximately 200 in unincorporated Cook County, and in the Annual Intergovernmental Agreement Program approximately 1,400 restaurants, for a total of 2,900.

Chairman Butler stated that Dr. Martin would like to make a motion to amend the effective month on the Ordinance as to when the program will begin.

**Commissioner Daley, seconded by Commissioner Steele, moved to change the Ordinance effective month from July to April. The motion carried.**

**Commissioner Daley, seconded by Commissioner Sims, moved the approval of Communication No. 290823 as amended. The motion carried.**

**Commissioner Schneider voted Present on the fees in Communication No. 290823 as amended.**

**Commissioner Peraica voted No on Communication No. 290823 as amended.**

Chairman Butler asked the Secretary to the Board to call upon the registered public speaker.

1) George Blakemore – Concerned Citizen

Vice Chairman Goslin asked Dr. Martin to restate for the record the last time the fees have been adjusted.

Dr. Martin responded sixteen years.

Dr. Martin submitted copies of the executive summary referencing the two Proposed Ordinances and copies of representative fee range comparison. (See attachments #1 and #2)

Commissioner Daley moved to adjourn the meeting, seconded by Commissioner Steele. The motion carried and the meeting was adjourned.

**YOUR COMMITTEE RECOMMENDS THE FOLLOWING ACTION  
WITH REGARD TO THE MATTER NAMED HEREIN:**

Communication Number 290822  
Communication Number 290823

Approve  
Approved As Amended

Respectfully submitted,  
Committee on Health & Hospitals

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Jerry Butler, Chairman

Attest:

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Matthew B. DeLeon, Secretary